

AP. 56.

CHAP. 57.] ONE HUNDRED AND SECOND SESSION.

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Chap. 57.

AN ACT to secure the completion of the Seventh regiment
new armory in the city of New York.

PASSED March 1, 1879; three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. The Seventh regiment of the national guard of the State of New York, upon a majority vote to that effect of its board of officers (to be taken and entered of record at a regular meeting of said board) is authorized, in the name of said regiment, to make and and* dispose of such an amount of bonds that the proceeds thereof shall be adequate to complete and furnish the new armory of said regiment now partially completed on ground in the city of New York leased to the field officers of said regiment by the commissioners of the sinking fund of said city, pursuant to the two hundred and thirty-fourth chapter of the laws of eighteen hundred and seventy-four. Said bonds however, shall not in aggregate nominal amount exceed one hundred and fifty thousand dollars; they or any of them may be made payable at any convenient time, not beyond fifteen years from the date thereof; may be in denominations not exceeding one thousand dollars nor less than one hundred dollars, and shall be regularly numbered may bear any convenient rate of interest, to be represented by coupons, not exceeding seven per cent; may therein be declared to be payable at any time not less than six months after notice to the holder of an intention to pay the same; and may be executed by the field officers of said regiment for and in the name of said regiment; and no officer or member of said regiment shall be held individually liable on any of said bonds.

Issue of
bonds to
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payable.Denomi-
nations,
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etc.Members
of regi-
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trustees to
secure
payment.Sale of
bonds,
disposi-
tion and
payment
of pro-
ceeds.Vacancies
in trus-
tees, etc.Surplus of
regiment
may be
set apart
for secu-
rity.Extension
of lease.

§ 2. For the purpose of securing the payment of said bonds and coupons the field officers of said regiment are authorized to assign and convey the said lease and property covered thereby, and said armory, to the trustees of the Seventh regiment armory fund Robert Lenox Kennedy, Royal Phelps and William W. Astor, and their successors, in trust, for the purpose aforesaid; and said trustees are authorized to countersign said bonds to be issued. Said bonds shall be sold under the direction of said trustees, and the moneys received for the same shall be deposited, as said trustees shall direct, for the uses hereinbefore specified; said moneys to be drawn from time to time, by said trustees or a majority of them, for the payment of bills incurred in completing and furnishing said armory; such bills to be approved by a majority of the building committee for the time being. And any vacancy that may occur in said trustees or the building committee may be filled by said board of officers.

§ 3. Said regiment may by a vote of its board of officers, for the purpose of further securing the payment of said bonds, set apart, at the end of each year, any surplus which, at such time, may be found to have accrued during said year above the proper expenses of said regiment, as may be determined by said board.

§ 4. And for the more complete security of said bonds, and to facilitate said regiment in disposing of the same, and for the purpose of securing to said regiment an armory for its permanent occupation, the

* So in the original.

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commissioners of the sinking fund of the city of New York are hereby authorized and required to extend the term of said lease in such proper and adequate form and manner that it shall convey and assure to said lessees and said Seventh regiment the premises therein described for and during the period that said regiment shall exist and act as a military organization and desire to occupy said armory for its lawful purposes.

Annual
city ap-
propriations and
payments

To be in
lieu of
rental,
etc.

Payment
to trust-
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How ap-
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When ap-
propriations and
payments
to cease.

Appropri-
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heating
and light-
ing appa-
ratus.

For side-
walks.

Payments
not to de-
lay work.

Comptrol-
ler to pur-
chase re-
giment's
furniture,
etc.

Appropri-
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payment.

Apprais-
ers, when
to be ap-
pointed.

Amount
to be paid.

§ 5. The board of estimate and apportionment of the city of New York shall annually estimate and appropriate, and the mayor, aldermen and commonalty of the city of New York by its proper financial officer or officers shall pay the sum of fifteen thousand dollars each year to the trustees of the Seventh regiment new armory fund or their successors, as an equivalent and in lieu of a rental for an armory for said regiment, and in lieu of the appropriation of three hundred and fifty thousand dollars heretofore made by the mayor and common council of New York, for the erection of an armory for this regiment under the provisions of chapter two hundred and twenty-three, section thirty-four, laws of eighteen hundred and seventy-five. The amounts to be appropriated and to be paid the trustees under this section shall be paid in semi-annual sums of seventy-five hundred dollars each, and shall be used by them in paying the interest or principal of the bonds that may be issued by said regiment under this act; and any bond paid shall be forthwith canceled by said trustees. The appropriation and payments by said city, under this section, shall cease when all the bonds issued by the regiment for completing and furnishing its new armory have been fully paid, or by conformity hereto would have been paid; and such annual appropriations shall not in any event be made for a period beyond fifteen years.

§ 6. The said board of estimate and apportionment shall also estimate and appropriate, and the said city, by its proper officer or officers, shall pay during the present year to the trustees above named the amount of money necessary to purchase and pay for the proper heating and lighting apparatus for said armory as required by law (especially as required by chapter two hundred and seventy-five, laws of eighteen hundred and seventy-eight), and also the amount necessary to pay for the laying of suitable sidewalks and curb and gutter around said building according to plans and specifications approved, and pursuant to contracts made by the building committee. And the payments first required under this section shall be provided for and made in such season as not to delay the work on or use of said armory.

§ 7. The comptroller of the city of New York is hereby authorized and directed to purchase (for said city) of the field officers of the said regiment, at a fair valuation, the furniture and fixtures belonging to said regiment, or to the several companies thereof, now in Tompkins Market armory, which are suitable for a regiment, and the sum agreed to be paid for such regimental and company property, shall be duly appropriated by the said board of estimate and apportionment and shall be paid by said city, by its proper officer or officers to the treasurer of said regiment. In case the comptroller and the field officers of said regiment cannot agree as to the value of said property to be purchased, said comptroller shall appoint one person, and the field officers of said regiment shall appoint one person to appraise the value thereof, and if said persons so selected cannot agree they shall appoint an umpire; and in case of an agreement between said field officers and the comptroller, or between said two appointed persons, or between one of said appointed persons and said umpire, as to the value

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§ 8. The Seventh re-
giment, shall be subject
to armories, and to th
military authorities fo
York.

§ 9. This act shall t

AN ACT to restor-
road, in the cou
superintendence

*The People of the Sta-
do enact as follows:*

SECTION 1. All that
"second section" there-
laws of one thousand e-
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sects the Cayuga cree-
the provisions of chap-
one thousand eight-
improve the Cayuga c-
twenty-ninth, one th-
acts amendatory there-

§ 2. On the first d-
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said Cayuga creek r-
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road as lies in the tow-
highways of said tow-
Lancaster, Erie county
and on said first day
superintendence of the
road, situated in each
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§ 3. This act shall t
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of said property, the value so agreed upon shall be the sum to be paid by said city to the treasurer of said regiment for said property.

§ 8. The Seventh regiment new armory, when completed and occu-
pied, shall be subject to the provisions of the military code relating
to armories, and to the rules and regulations prescribed by the proper
military authorities for other regimental armories in the city of New
York.

Armory
subject to
provis-
ions of
military
code, etc.

§ 9. This act shall take effect immediately.

Chap. 58.

AN ACT to restore the eastern section of the Cayuga creek
road, in the county of Erie, to the jurisdiction, care and
superintendence of the commissioners of highways.

PASSED March 1, 1879 ; three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly,
do enact as follows :*

SECTION 1. All that part of the Cayuga creek road, designated as the
"second section" thereof in chapter one hundred and forty-six of the
laws of one thousand eight hundred and forty-nine, lying between the
east line of Erie county and the point where the Wakelee road inter-
sects the Cayuga creek road, is hereby released from the operation of
the provisions of chapter one hundred and forty-eight of the laws of
one thousand eight hundred and forty-eight, entitled "An act to
improve the Cayuga creek road, in the county of Erie," passed March
twenty-ninth, one thousand eight hundred and forty-eight, and the
acts amendatory thereof.

Release
from road
improve-
ment act.

§ 2. On the first day of May, one thousand eight hundred and
seventy-nine, the commissioners for the second or eastern section of
said Cayuga creek road shall surrender the jurisdiction, care and
superintendence of so much of said second or easter* section of said
road as lies in the town of Alden, Erie county, to the commissioner of
highways of said town, and of so much thereof as lies in the town of
Lancaster, Erie county, to the commissioners of highways of that town ;
and on said first day of May and thereafter, the jurisdiction, care and
superintendence of the portion of said second or eastern section of said
road, situated in each of said towns, shall devolve upon and vest in the
commissioners of highways respectively of said towns.

Surrender
of juris-
diction,
etc.

§ 3. This act shall take effect on the first day of May, one thousand
eight hundred and seventy-nine.

* So in the original.